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R. Talley

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J1032 U.S. PTO

Attorney Docket No.: 119929-1028

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

jc841 U.S. PTO
09/776202
02/02/01

In re Application of: Harold R. Garner
Divisional of Serial No.: 09/326,526
Filed: June 4, 1999
Group Art Unit: 2872
Examiner: James Phan
For: DIGITAL OPTICAL CHEMISTRY MICROMIRROR

Express Mail No.: EK539126221US

Date of Deposit: February 2, 2001

I certify that the accompanying paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to BOX: PATENT APPLICATION, Commissioner for Patents, Washington, DC 20231


Linda L. Gibson

BOX: PATENT APPLICATION

Commissioner for Patent
Washington, D.C. 20231

**REQUEST FOR FILING DIVISIONAL APPLICATION
UNDER 37 C.F.R. 1.53(b)**

Dear Sir:

This is a request for filing a divisional application under 37 C.F.R. 1.53(b), of pending prior application 09/326,526 filed June 4, 1999, entitled DIGITAL OPTICAL CHEMISTRY MICROMIRROR IMAGER. The inventor of the invention being claimed in this application is Harold R. Garner. Please amend the specification by inserting before the first line the sentence: "This application is a division of pending application number 09/326,526, filed on June 4, 1999."

1. A preliminary amendment is submitted herewith.
2. A true copy of the prior application as filed in the parent application is enclosed.
3. Informal drawings are enclosed.
4. A Declaration is enclosed as filed with the prior application.
5. Please cancel in this application original Claims 1 through 38 of the prior application and add new claims 39-61 before calculating the filing fee.

This Applicant is claiming small entity status.

The filing fee is calculated below:

For	Number Filed	Number Extra	Rate	Fee
Total Claims	22	2	9.00	\$18.00
Independent Claims	1	0	40.00	\$ 0.00
Basic Filing Fee				\$355.00
Multiple Dependent Claim	0	0	130.00	\$0.00
TOTAL FILING FEE				\$373.00

6. The Commissioner is hereby authorized to deduct the above fees from our Deposit Account No. 07-0153. A duplicate copy of this transmittal letter is enclosed for your convenience.

I hereby verify that the attached papers are a true copy of prior application Serial No. 09/326,526, filed June 4, 1999, and further that all statements made herein are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

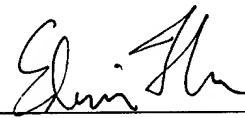
Please address all future correspondence to:

Gardere Wynne Sewell LLP
1601 Elm Street, Suite 3000
Dallas, Texas 75201

and direct all telephone calls to Edwin S. Flores at (214) 999-4559.

Respectfully submitted,

GARDERE WYNNE SEWELL LLP

By: 
Edwin S. Flores
Attorney for Applicant
Registration No.: 38,453

Date: February 2, 2001
3000 Thanksgiving Tower
1601 Elm Street
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PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

02/09/2001 RHARIS1 00000079 070153 09776202

01 FC:201	355.00 CH
02 FC:203	27.00 CH